

ORIGINAL UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

AMENDED

CIVIL MINUTES - GENERAL

Case No. CV-02-2906-DT

Date 5-25-06

Title Filia Kourtis, et al -v- James Cameron, et al

RECEIVED

Present: The
Honorable

DICKRAN TEVRIZIAN

D.L. O'Neill

N/A

N/A

Deputy Clerk

Court Recorder

Tape No.

Attorneys Present for Plaintiffs:

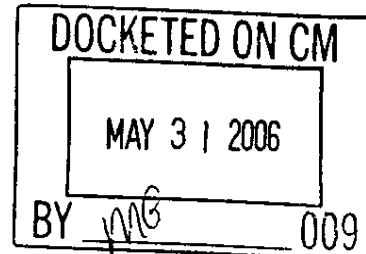
Attorneys Present for Defendants:

N/A

N/A

Proceedings:

IN CHAMBERS

AMENDED CIVIL MINUTES OF 5-25-06

(1) The Court is in receipt of three motions filed by Plaintiffs and tentatively calendared for June 19, 2006. These include: (1) a Motion to Renew Motion to Vacate and Set Aside Order Setting Costs Bond as to Cameron; (2) a Motion to Reconsider Order Setting Costs Bond as to Kassar; and (3) Plaintiffs' Request to Proceed in Forma Pauperis, titled an "Application for Waiver of Posting of Bond."

As far as can be ascertained by the Court, Plaintiffs filed their Request to Proceed in Forma Pauperis with the Court, but not with Defendants. Plaintiffs did so under the mistaken belief that they should file this Request as directed under state law. This is incorrect. Applications to proceed in forma pauperis in federal court are granted or denied under federal law. See 28 U.S.C. § 1915.

The Request to Proceed in Forma Pauperis is treated as a motion under federal law, see Local Rule 5-2, and as so must be served on opposing parties. Fed. R. Civ. P. 5(a). Additionally, to the extent Plaintiffs wish the Court to rely upon the information contained therein in support of their Motions to Renew and Reconsider, and as far as the ability of Plaintiffs to furnish the bond is relevant under California Civil Procedure Code sections 996.030 and 1030, this information must likewise be served on opposing parties.

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To this end, Plaintiff are ORDERED (1) to serve their Application for Waiver of Posting of Bond, and all accompanying papers, on Defendants and (2) to file Proof of Service with the Court, by June 2, 2006.

(2) In order to permit Defendants adequate time to respond to Plaintiffs' filings, the Court CONTINUES oral arguments on Plaintiffs' three motions, above, to June 26, 2006 at 10 a.m. The filing of Opposing and Reply Papers shall comply with Local Rules 7-9 and 7-10, as applied to the new hearing date.

Initials of Preparer

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